

REMARKS/ARGUMENTS

Claims 1, 3-19, and 58-75 are pending. Claims 1, 11, 58, 59, and 68 have been amended. Re-examination and reconsideration of the pending claims are respectfully requested.

Examiner Interview

Applicants thank Examiner Tran for the courtesy shown in a telephone interview conducted on January 6, 2004. Applicants' representatives Mark Barrish and Robert Kramer discussed the invention and the claim language of independent claims 1, 58 and 59 with reference to the Kauvar et al. and Herron et al. references. In particular, applicants noted that the cited references fail to show a detector simultaneously imaging the spectra upon a surface of a sensor, as recited by the claims. An agreement was reached that claims 1, 58, and 59, as amended, overcome the cited references and therefore are in condition for allowance. Applicants agreed to add the proposed claim amendments to comply with the Examiner's requirements of form, as it was agreed that the proposed amendments to the claims were already implicit in the existing claims. Hence, no new issues were raised by the proposed amendments that would require further examination and/or search.

Prior Claim Rejections under 35 U.S.C. §102 and §103

Claims 1 and 59 were previously rejected under 35 U.S.C. §102(e) as allegedly being anticipated under Kauvar et al. (U.S. Patent No. 6,492,125 B2). Claim 58 was rejected under 35 U.S.C. §102(e) as being anticipated by Herron et al. (U.S. Patent No. 6,108,463). As agreed during the Examiner Interview, the simultaneous detection of the claims is not taught or suggested by Kauvar et al., and rejection of claims 1 and 59 under 35 U.S.C. §102(e) is not appropriate. Applicants therefore respectfully request withdrawal of this rejection and the allowance of claims 1 and 59, and dependent claims 3-19 and 68.

Claims 1 and 3-7 were previously rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kauvar et al. (U.S. Patent No. 6,492,125 B2) and Bawendi et al. (U.S. Patent No. 6,326,144), and claims 8-19 as being unpatentable over Kauvar et al. (U.S. Patent

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No. 6,492,125 B2) and Bawendi et al. (U.S. Patent No. 6,326,144) in view of either Lewis et al. (U.S. Patent No. 5,377,003) or Nagoshi et al. (U.S. Patent No. 5,495,334). Claims 58, 60-64 were previously rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Herron et al. (U.S. Patent No. 6,108,463) and Bawendi et al. (U.S. Patent No. 6, 326, 144). Claims 65-67, and 69-75 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Herron et al. and Bawendi et al., and further in view of either Lewis et al. (U.S. Patent No. 5,377,003) or Nagoshi et al. (U.S. Patent No. 5,495,334). Removal of these rejections is also now appropriate, as no reference of record in this case has been shown to include the simultaneous imaging capability of the claimed systems.

Claim Rejections under 35 U.S.C. §112

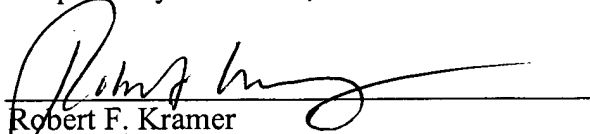
Claim 68 was rejected under 35 U.S.C. § 112, 2nd ¶ as allegedly being indefinite. Applicants have amended claim 68, to introduce the slit aperture element, and therefore submit that the claims are in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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